

LB2529

.P3

1837

copy 2

Hollinger Corp.
pH 8.5

LB 2529
P3
1837
copy 2

SCHOOL LAW.

AN ACT

To consolidate and amend the several Acts relative to a General System of Education by Common Schools.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That every township, borough or ward in this Commonwealth, not within the city and incorporated districts of the county of Philadelphia, shall constitute a school district: *Provided,* That any borough which is or may be connected with a township in the assessment of county rates and levies, shall, with the said township, form a district. What composes a district.

SECTION 2. Annually, at the same time and place that elections are held for supervisors and constable, and in wards and boroughs at the time and place of the borough election, and in like manner, two persons shall be elected school directors for each district, whose term of office shall be three years; and the persons so elected shall be notified thereof within five days, by the judges of said election: *Provided,* That in districts where directors have not been elected, or in new districts which may be established by the division of a township, or otherwise, six directors shall be elected in such districts at the first election, two to serve one year, two to serve two years, and two to serve three years. Election of directors in old districts;

SECTION 3. Within twenty days after said election, each board of school directors shall organize by choosing a president and secretary out of their own body; they shall also appoint a treasurer for the district, and shall require him to give sufficient security to insure the faithful performance of his duty; they shall also have power to fill in new districts, or in cases of neglect.
Organization of the board.
President, secretary and treasurer.

Vacancies. any vacancy which may occur in their board by death, resignation or otherwise, until the next election, when such vacancy shall be filled by electing a person to supply the same.

Ordinary school tax. **SECTION 4.** The school directors of every school district which has adopted the common school system, or which may hereafter adopt the same, shall annually, on or before the first Monday of May, authorize to be levied such an amount of tax on said district as they may think necessary for school purposes, not less than equal to, nor more than treble the amount which the district is entitled to receive out of the annual State appropriation; and for the purpose of raising any additional sum that may be deemed necessary, meetings shall be called of the taxable inhabitants of the township or district, by the directors, on the first Tuesday of May, annually: notice of the time and place of holding such meeting being first given, by at least six advertisements, put up in the most public places in such township or district, for the space of two weeks; a majority of whom shall decide by ballot, how much and what additional sum shall be raised for school purposes; and any additional sum so authorized, shall be assessed and collected, paid over and distributed, in the same manner that is provided for by this act.

Apportionment of tax. **SECTION 5.** The assessor of every ward, township or borough, composing any school district as aforesaid, shall, upon demand, furnish the school directors of the district with a correct copy of the last adjusted valuation in the same for county purposes; whereupon, the board of directors shall, on or before the first day of June, annually, proceed to levy and apportion the said tax, as follows, viz:

Profession tax. *First.* On all offices and posts of profit, professions, trades and occupations, and on all single freemen above the age of twenty-one years, who do not follow any occupation, not exceeding the amount assessed on the same for county purposes.

Personal property tax. *Second.* On personal property which was made taxable by an act entitled "An act assessing a tax on personal property, to be collected with the county rates and levies, for the use of the Commonwealth," passed the twenty-fifth day of March, one thousand eight hundred and thirty-one; and the said property shall continue to be assessed according to the provisions of said act; and upon all property now taxable for county purposes:

Land, etc. tax. *Provided,* That said act taxing personal property, shall

not be so construed as to make widows' dower liable to Dower.
the payment of taxes.

SECTION 6. When the school tax is so levied and Duplicate of
apportioned in any district, the secretary of the board of assessment.
directors shall make out a correct duplicate of the same,
and the president of the board shall issue his warrant,
with the duplicate aforesaid, to the township or borough
collector, or to some other suitable person residing with-
in the district, to collect the said tax, and shall require
from him sufficient security to insure the faithful dis-
charge of his duty; and the board of directors of each
district shall have the right at all times to make such
abatement or exonerations for mistakes, indigent persons, Abatements.
unseated lands, &c., as to them shall appear just and
reasonable; and the secretary of the board shall enter
in a book or books, to be kept by him for that purpose,
the names of all persons so abated or exonerated, to-
gether with the reasons for such exonerations.

SECTION 7. The said collector shall have like power Power of col-
to enforce the payment of the school tax, as collectors lector.
of county rates and levies have to enforce the payment
of the same, and shall receive the like compensation for
his services. From time to time, as the said tax is col- Time of set-
lected, the collector of the district shall pay the amount tlement.
over to the district treasurer, and shall settle up his
duplicate on or before the time fixed upon in the warrant
of the president: *Provided*, That if the tax so levied Tax on un-
on unseated lands, shall not be voluntarily paid by the seated lands.
owner or owners thereof, the district collector shall cer-
tify the same to the county commissioners, and the said
county commissioners shall enforce the collection thereof,
in the same manner as the collection of the taxes on
unseated lands is enforced when assessed for county
purposes; and when so collected, the same shall be
paid to the district treasurer for the time being, by
orders drawn by the said commissioners on the county
treasurer.

SECTION 8. The school directors of every school Duties of
district which shall have adopted the common school school direct-
system, shall perform the following duties, in addition to ors.
those above specified:

1. They shall, if they deem it expedient, divide the Sub-districts.
district into sub-districts, and shall establish a sufficient
number of common schools for the education of every No. of schools.
individual above the age of four years, in the district, Age of pupils.
who may apply, either in person or by his or her
parents, guardian, or next friend, for admission and

Time of keep- instruction, and shall keep the said schools open at least
ing schools six months in every year, if they shall have funds for
open. that purpose.

School houses 2. They shall cause suitable buildings to be erected,
and fuel. rented or hired for school houses, and supply the schools
with fuel.

Salaries of 3. They shall exercise a general supervision over the
teachers. schools of their respective districts, and fix the amount
of the salaries of the teachers.

Orders for 4. They shall pay all necessary expenses of the
money. schools, by orders drawn on the district treasurer, signed
by the president, and countersigned by the secretary of
the board.

Visitation of 5. Each board of directors, by one or more of their
schools. number, shall visit every school within their district, at
least once in every month, and shall cause the result of
said visit to be entered on the minutes of the board.

Schools out of 6. Whenever it may be necessary or convenient to
adjoining dis- establish one or more schools out of two or more adjoining
tricts. districts, the school directors of such adjoining dis-
tricts may establish and regulate such schools, and the
expense thereof shall be paid as may be agreed upon by
the directors of said adjoining districts.

Directors re- 7. They shall annually, on or before the first Monday
port to Super- in January, make a report to the Superintendent of the
intendent. common schools, setting forth the number and situation
of the schools in their district, the character of the
teachers, designating whether they are males or females,
the number and sex of the scholars admitted during the
year, the branches of study taught in each school, the
number of months in the year during which each school
shall have been kept open, the cost of school houses,
either for building, renting or repairing, and all other
expenses which may have been incurred in maintaining
the schools of their districts, together with such other
information as may be beneficial in forming a just esti-
mate of the value of common schools.

Directors and 8. No school director or treasurer shall receive any
treasurer to pay or emolument whatever for his services as such:
serve gratis. but he shall be exempt, during the time he continues to
perform the duties of his office, from military duty, or
from serving in any borough or township office.

Exemptions. 9. When the school directors shall have divided the
Committee in several districts into sub-districts for separate schools,
sub-districts. the voters of each sub-district may meet, on notice

being given for ten days at least, signed by not less than four voters of said district, and choose a committee of three, of their number, to serve for one year, who shall have the appointment of the teacher for such sub-district.

10. The directors of each school district shall have the power to direct in which of the schools so established in pursuance of this act, the individuals in said district who may be admitted, shall be instructed. In what school pupils to be taught.

11. In case the school directors deem it inexpedient to divide their district into sub-districts, or in case the voters of any sub-district shall neglect or refuse to elect a committee, as provided for in the ninth article of this section, then the duties of said committee shall devolve on and be performed by the school directors. Sub-districts.

SECTION 9. The district treasurer shall receive all moneys belonging to the district, whether the same be derived from appropriations by the State, district taxes, private donations, or otherwise, and shall pay out the same on orders drawn by the president and attested by the secretary of the board of directors, by order of the board, and his accounts shall be audited and adjusted as accounts of townships and boroughs are directed by law to be audited and adjusted. Treasurer—his duties.

SECTION 10. The Secretary of the Commonwealth shall be Superintendent of the Common Schools, and shall perform the following duties: Superintendent—duties.

1. Prepare suitable blank forms, with necessary instructions, for making district reports, and for conducting the necessary proceedings under his jurisdiction; and shall cause the same, together with all such information as he may deem necessary for the further improvement of the schools, to be transmitted to the commissioners of the several counties, for distribution among the several boards of directors, at the same time and in the same manner as the pamphlet laws of this Commonwealth are transmitted, and at such other times and in such other manner as he may think expedient. To prepare forms for reports.

2. Prepare and submit an annual report to the legislature, containing a statement of the condition of the common schools throughout the Commonwealth, estimates and expenditures, plans for the improvement of the common school system, and all such matters relating to his office of Superintendent and the concerns of To report to legislature.

common schools, as he shall deem it expedient to communicate.

To pay school money. 3. He shall sign all orders on the State Treasurer for the payment of monies to the treasurers of the several school districts, but no order shall be drawn by him in favour of any district treasurer until he shall have been furnished with a certificate, signed by the president and attested by the secretary of the board of directors of the district, that a sum at least equal to the amount of the district's share of the annual State appropriation of two hundred thousand dollars, has been levied on said district for school purposes.

To settle controversies. 4. If any controversy should arise among the directors of any district or adjoining districts, concerning the duties of their office, the distribution of the State appropriation, or the levying and collection of taxes, he is hereby authorized to settle and adjust the same, without cost to the parties; and all monies reasonably expended by him in this and other matters appertaining to the execution of his duty as Superintendent, shall, upon due proof, be allowed to him by the Auditor General, and be paid out of the State Treasury.

To transmit to commissioners statement of money due. 5. He shall annually, in the month of February, transmit to the commissioners of each county a statement of the amount every district therein that has, and every district that has not adopted the common school system, may be entitled to receive out of the annual appropriation of two hundred thousand dollars, and the commissioners shall immediately cause such statement to be published three times in one or more newspapers printed in said county: *Provided*, That nothing in any section of this act shall be so construed as to deprive the districts which have not adopted the common school system, of their due proportion of the common school fund, until after the first of November, one thousand eight hundred and thirty-eight.

Proviso.

State appropriation.

SECTION 11. One hundred thousand dollars, in addition to the one hundred thousand dollars, payable by the Bank of the United States, both of which sums to be accounted and distributed as the State appropriation, are hereby appropriated out of the school fund, for the year one thousand eight hundred and thirty seven, and a like sum annually thereafter, which shall be apportioned among the several school districts of this Commonwealth and the city and county of Philadelphia, according to their number of taxable inhabitants, but shall only be subject to the drafts of the Superintendent of common

schools agreeably to the provisions of this act: *Provided*, ^{Proviso as to accumulation.} That the balance of appropriations made under the act entitled "An act to establish a general system of education by common schools," passed the first day of April, one thousand eight hundred and thirty-four, and the supplement thereto, and the balance of the first appropriation of one hundred thousand dollars, which shall remain undrawn on the first day of November, one thousand eight hundred and thirty-seven, and all subsequent balances, shall remain in the treasury and accumulate for the use of such district or districts entitled to the same, for any term not exceeding one year from and after the first day of November, one thousand eight hundred and thirty-seven, and all such undrawn balance remaining in the treasury on the first day of November, one thousand eight hundred and thirty-eight, shall be repaid into the school fund; and in like manner the undrawn balance of subsequent appropriations shall be repaid into the said fund annually thereafter.*

* The following resolution, declaratory of the meaning of the 11th section, was passed on the 27th of March, 1837.

RESOLUTION

Relative to undrawn balances in the School Fund.

WHEREAS, it appears, from the report of the Superintendent of common schools, that the undrawn balances of the school fund, appropriated to districts, that have hitherto refused to accept of the general system of education, will, under the act passed on the thirteenth day of June, Anno Domini, one thousand eight hundred and thirty-six, revert to the common school fund, during the present year: *And whereas*, it is known to have been the intention of the legislature, that the said undrawn balances should remain in the treasury and accumulate, for the use of such districts, respectively, until the first day of November, one thousand eight hundred and thirty-eight; therefore,

Resolved, by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That the balance of appropriation, made under the act, entitled "An act to establish a general system of education by common schools," passed the first day of April, one thousand eight hundred and thirty-four, and the supplement thereto, and the balance of the first appropriation of one hundred thousand dollars, which

Certificate of
assessment of
tax.

SECTION. 12. As soon as the president of the board of directors, of any school district, shall have issued his warrant for the collection of a school tax, agreeably to the sixth section of this act, he shall certify the same, stating the amount of such tax, and, also the name of the district treasurer, to the Superintendent of common schools, who shall forthwith draw his warrant on the State Treasurer, for the whole amount such district is entitled to receive.

Meetings to
accept school
system in non-
accepting dis-
tricts.

SECTION 13. The school directors of every school district which shall not have adopted the common school system, shall annually call a meeting of the qualified citizens of the district on the day of election for directors, to be held at the usual place of holding township, ward, or borough elections, by at least six advertisements, put up in the most public places of the district, for the space of two weeks: And the said meeting shall be organized between the hours of one and four o'clock, P. M. on the said day, by appointing a president, and the secretary of the board of directors, or in his absence some other member of the board, shall perform the duties of secretary to the meeting. When the meeting is so organized, the question of establishing the common school system in the district shall be decided by ballot, and the said president and secretary shall perform the duties of tellers to the meeting, and shall receive from every person residing within the district, qualified to vote at the general election, a written or printed ticket, containing the word "schools," or the words "no schools," and shall continue without interruption or adjournment, until the electors who shall come to the said election, shall have opportunity to give in their respective votes; and the said tellers shall count the votes, and if a majority shall contain the word "schools," the secretary shall certify the same to the board of directors of the district, who shall proceed to establish schools therein, agreeably to the provisions of

shall remain undrawn on the first day of November, one thousand eight hundred and thirty-six, and all subsequent balances shall remain in the treasury, and accumulate for the use of such district or districts, entitled to the same, for any term not exceeding one year from and after the first day of November, one thousand eight hundred and thirty-seven; and all such undrawn balances, remaining in the treasury on the first day of November, one thousand eight hundred and thirty-eight, shall be repaid into the school fund; and in like manner the undrawn balances of subsequent appropriations shall be repaid into the said fund, annually thereafter.

this act; but if a majority shall contain the words "no schools," the secretary shall certify the same to the county commissioners of the proper county. And the school directors of every school district which may have adopted the common school system, may, if they deem it expedient, call a meeting of the qualified citizens of the district, on the first Tuesday of May, in the year one thousand eight hundred and thirty-seven, and on the same day in every third year thereafter, to be held at the usual place of holding township, ward, or borough elections, at which time and place an election shall be held, to decide by ballot whether the common school system shall be continued or not. The notice for holding said meetings, and the time for and manner of holding said elections, to be in conformity with the preceding part of this section; and should there be a majority of the taxable inhabitants of said district in favour of "no schools," the secretary shall certify the same to the county commissioners of the proper county, and the operation of the common school system shall be suspended in said district, until such time as a majority of the citizens shall otherwise decide.

Meetings to reject school system in accepting districts.

SECTION. 14. The school directors, of every school district in which the common school system has been adopted, or shall hereafter be adopted, shall have power to purchase and hold real and personal property, which may be necessary for the establishment and support of said schools, and the same to sell, alien and dispose of, whenever it shall be no longer required for the uses aforesaid; and in all cases where real estate is held by trustees for the general use of the neighborhood, as a school house or its appendages, it shall be lawful for the said trustees, the survivor or survivors of them, to convey the same to the school directors aforesaid, and from thenceforth the said board shall hold the said property for the same term and for the same uses for which it was granted to said trustees.

Power of directors to hold property, etc.

SECTION. 15. School directors elected under the provisions of former acts, shall severally hold their offices during the term for which they were elected; and all appropriations authorized by former acts, whether by the State or county, and all taxes authorized to be raised for school purposes; shall be collected as they would have been collected if this act had not been passed.

Elections, appropriations and taxes under former acts valid.

SECTION 16. The county commissioners of every county, within this Commonwealth, except the county of Philadelphia, when levying a tax for county purposes, shall estimate the amount which will be required to

Education of the poor in non-accepting districts.

educate the poor gratis, in the several districts of their county, which shall have rejected the common school system, and when an estimate is so made, they shall levy the amount on said districts, and collect the same in the usual manner, and shall continue to provide for the education of the poor gratis therein, agreeably to the provisions of an act entitled, "An act to provide for the education of the poor gratis," passed the fourth day of April, one thousand eight hundred and nine, or such special acts of Assembly as may be in force in any of the counties where there may be districts rejecting the provisions of this act: *Provided*, That the whole expense thereby incurred, shall be paid out of the amount levied on said districts as aforesaid.

Proviso.

Endowed schools.

SECTION 17. Where a school is or shall hereafter be endowed, by bequest or otherwise, the board of directors of the district in which such school is located, are hereby authorized to allow such school to remain under the immediate direction of the regularly appointed trustees of the same, and to appropriate so much of the district school fund to said schools, as they may think just and reasonable: *Provided*, That such schools shall be generally conducted in conformity with the common school system of this Commonwealth.

Proviso.

Repealing section.

SECTION 18. The act entitled "An act to provide for a general system of education by common schools," and also the supplement thereto, passed fifteenth day of April, Anno Domini, eighteen hundred and thirty-five, are hereby repealed: *Provided*, That every thing heretofore done in pursuance of said acts, shall be held valid.

Proviso.

Schools in the city of Lancaster.

SECTION 19. If the corporation of the city of Lancaster shall at any time adopt the common school system, agreeably to the provisions of this act, then the act to provide for the education of children at the public expense, in the city and incorporated boroughs of the county of Lancaster, passed the first day of April, one thousand eight hundred and twenty-two, and the supplement thereto, passed the first day of April, one thousand eight hundred and twenty-three, shall from the time of the adoption of the common school system, in said city, be inoperative, null and void.

Certain districts allowed to accept before 1st August, 1836.

SECTION 20. In all cases, where, under "An act to provide for a general system of education by common schools," and also the supplement thereto, passed the fifteenth day of April, Anno Domini, one thousand eight hundred and thirty-five, the directors of any district may have met and decided to accept of the law, and have ap-

pointed a delegate to attend the county convention, for the purpose of accepting and carrying into effect the provisions of said law; but if from any cause, said delegate has failed to attend said convention, said township shall be entitled to all the benefits and provisions thereof, on the same terms and conditions as those who have literally complied, are entitled: *Provided*, Said delegate shall, on ^{Proviso.} or before the first day of August next, record the vote of said township in the affirmative, with the clerk of the convention.

SECTION 21. The school year mentioned in this act, ^{Termination} and in an act entitled "An act to provide for a general of school year. system of education by common schools," and the supplement thereto, passed the fifteenth day of April, one thousand eight hundred and thirty-five, shall be taken and understood to end on the first Monday of June, to wit: the school year of one thousand eight hundred and thirty-seven, will end on the first Monday of June of that year, and so of all other years.

SECTION 22. Immediately after the passage of this ^{Publication of} act, the Superintendent of common schools shall cause ^{this act.} circular letters, with a printed copy of this act attached thereto, to be addressed to the county commissioners of every county; and it shall be the duty of the commissioners aforesaid, to cause the same to be published in one, and not more than three newspapers in the county, for three successive weeks, and the expense thereof shall be defrayed out of the county treasury, and the said superintendent shall also cause this act to be printed in pamphlet form, and shall forward to the county commis- ^{Copy to be} sioners of each county, a number of copies thereof, equal ^{sent to each} to the number of school directors in their county, to be ^{director.} distributed among the several boards of directors.

SECTION 23. The act and its supplements now in ope- ^{Effect of the} ration in the city and county of Philadelphia, entitled ^{act on Phila-} "An act to provide for the education of children at the ^{delphia.} public expense, within the city and county of Philadelphia," are declared to be concurrent with the provisions of this act, and are in no wise to be considered as altered, amended or repealed, except so far, that the said city and county shall be entitled to receive their due proportion and share of the annual state appropriation of two hundred thousand dollars: *Provided*, That the controllers ^{1st. Proviso.} of the public schools for the city and county of Philadelphia, be and they hereby are authorized, whenever they shall think proper, to establish one central high school, for the full education of such pupils of the public schools of the first school district, as may possess the requisite

2nd. proviso.

qualifications; and that the moneys expended in the establishment and support of the said high school, shall be provided and paid in the same manner as is now, or shall hereafter be directed by law, with respect to the other public schools, of the said district. *And provided further*, That so much of the tenth section of the act of March the third, A. D. one thousand eight hundred and eighteen, as renders the exclusive use of the Lancasterian system, in the first school district, obligatory upon the controllers and directors, and all such provisions, (if any) in the said act, and the several supplements thereto, as limit the benefits of the said public schools, to the children of indigent parents, and so much of any act, as is hereby altered or supplied, be and the same are hereby repealed; and in said public schools all children over four years of age shall be admitted.

NER. MIDDLESWARTH,

Speaker of the House of Representatives.

THOS. S. CUNNINGHAM,

Speaker of the Senate.

APPROVED—June 13, A. D. 1836.

JOS: RITNER.

EXPLANATORY

INSTRUCTIONS AND FORMS.

REPEALING EFFECT OF THIS LAW.

This act will, after the completion of the acts and things mentioned in the fifteenth section, amount to a total repeal of the acts of 1834 and 1835.

GENERAL RULE FOR CONSTRUCTION.

Being intended for the public good, the Common School law is, in all cases of reasonable doubt, to receive a liberal construction in favour of the system.

DISTRICTS.

As to what shall compose a school district, see section 1.

Each and every ward of a borough, as well as of a city, (except Philadelphia city and county,) having a separate assessor of county rates and levies, shall form a district. But if there be only one assessor of county rates and levies for a whole borough, such borough, though composed of more wards than one, shall form only one district.—Sect. 1.

SUB-DISTRICTS.

It is not obligatory on directors to form their district into sub-districts.—Section 8, articles 1st and 11th.

If a district be sub-divided, the only power to be exercised by the committee of each sub-district, is that of choosing the teacher. The salary of the teacher, and all other matters relating to a sub-district, are to be regulated by the directors of the proper district, as if no sub-division had taken place.—Section 8, article 9.

If a district be sub-divided, it should be done in such a manner as to have, as nearly as possible, an equal number of taxables in each sub-division.

ELECTION OF DIRECTORS.

In townships which form districts, directors are to be elected at the time and place of electing supervisors and constables; and in boroughs which form districts, at the time and place of electing borough officers. But where a borough is connected with a township in the formation of a district, the directors of such district are to be elected at the time and place of electing the supervisors and constable of such township.—Sections 1 and 2.

ELECTION IN NEW DISTRICTS.

In case of a new district formed by the division of a township, or the separation of a borough from a township, in the assessment of county rates and levies, six directors shall be elected in the first instance, in such new district. But if there be any of the old board of directors chosen before the division, residing in the new district, they shall act as directors therein till the next election, and shall fill up all vacancies in the board of the new district, by appointment, till the next election.—Section 2d and 3d.

FILLING VACANCIES.

All vacancies in a board of directors are to be filled by appointment by the remaining directors, till next election.—Section 3.

If a district neglect to elect directors at the proper time, such neglect amounts to a vacancy, which is to be filled by appointment, till next election.

In case of the formation of a new district, every director residing within such district, shall cease to be a director of the old district, out of which it was formed; and the vacancy thus created, shall be filled by appointment, till next election. A tie in electing directors, is to be treated as a vacancy.

POWER OF DIRECTORS TO HOLD PROPERTY, &c.

As to the power of directors to receive, purchase, hold and dispose of personal and real estate, for the use of their districts, see section 14.

Directors are not authorized to take the land or other property of individuals for building school houses, &c. without their consent.—For form of deed and lease see appendix.

TREASURER.

For election of treasurer, see section 3.

For form of bond of treasurer, see Appendix.

For duties of treasurer, see sections 7, 8 and 9.

A director may be treasurer.

ORDINARY SCHOOL TAX.

The following are the steps to be taken by directors, for the purpose of levying and apportioning the tax necessary to conduct the ordinary operations of the system.

I. They shall, on or before the first Monday of May, annually, meet and fix the amount required for the year which is to commence after the first Monday of June, then next ensuing, which shall in no case be less than equal to, nor more than treble the amount the district may be entitled to receive out of the \$200,000, State appropriation.

II. They shall, in the next place, fix a rate of tax upon "all offices and posts of profit, professions, trades and occupations, and upon all single freemen, above the age of twenty-one years, who do not follow any occupation, not exceeding the amount assessed on them for county purposes."—(Sect. 5.) If the proceeds of this tax be more than equal to the desired amount, they shall proportionably reduce the different items of it, so as to retain the necessary sum, and shall cause the same to be collected. But, if unequal—

III. They shall proceed to apportion the residue required upon personal property, under the act of 25th March, 1831, and upon "all property now taxable for county purposes," (Sect. 5,) in such manner and proportions as may be just and right.

IV. The secretary of the board shall then proceed to assess the tax thus apportioned on the individual taxable inhabitants of the district, and shall make out a corrected duplicate of the same, which, with the warrant of the president for the collection thereof, shall be delivered to the proper collector.—(Sect. 6.)

For form of warrant and bond of collector, see appendix.

ADDITIONAL TAX.

If directors shall deem it necessary to raise a tax for extraordinary purposes, such as building or purchasing school houses, increasing the operations of the system beyond the expense of the previous year, &c. "additional" to that already authorized by them, they shall proceed as directed by the 4th section. In that case they shall delay the apportionment and assessment of the ordinary tax, till it be ascertained whether or not an additional tax shall be authorized. If it be authorized, then they shall add the amount thereof to the amount of the ordinary tax, and shall apportion and assess the aggregate amount as prescribed by section 5.

To prevent confusion, it is recommended, in case an additional tax is deemed necessary, that a specified sum be in all cases named by the directors, for or against which the taxable inhabitants may vote; such sum to be named on the tickets of those in favour of the additional tax; and the words "no additional tax" on the tickets of those opposed to it.

CERTIFICATE OF ASSESSMENT OF TAX.

It is earnestly requested that the form of certificate of the assessment of school tax, to be sent to the superintendent, contained in the appendix, shall be adopted, in all cases.

EXONERATIONS.

As to directors' power to make exonérations, see section 6.

UNSEATED LANDS.

When it becomes necessary for a collector to certify to the commissioners the non-payment of tax on unseated land, under the seventh section, the form of certificate contained in the appendix may be used.

A collector may issue such certificate without having first actually demanded the tax from the owners of unseated lands, if they reside out of his district. The tax is to be "voluntarily paid."

POWER OF COLLECTORS TO ENFORCE PAYMENT.

Collectors of school tax, shall have like power to enforce payment, as collectors of county rates and levies have, viz:

"If any person shall neglect or refuse to make payment of the amount due by him for such tax, within thirty days from the time of demand so made, it shall be the duty of the collector aforesaid, to levy such amount by distress and sale of the goods and chattels of such delinquent, giving ten days' public notice of such sale, by written or printed advertisements; and in case goods and chattels sufficient to satisfy the same, with the costs, cannot be found, such collector shall be authorized to take the body of such delinquent, and convey him to the jail of the proper county, there to remain until the amount of such tax, together with the costs, shall be paid, or secured to be paid, or until he shall be otherwise discharged by due course of law."—Sect. 21, act 15th April, 1834, relating to county and township rates and levies.

COMPENSATION OF COLLECTORS.

They shall receive like compensation as collectors of county rates and levies, viz:

"Every collector shall be entitled to retain, at the final settlement of his duplicate, the sum of five per cent. on all monies by him collected, which shall be allowed to him by the treasurer of the proper county or township, as the case may be, and shall be in full compensation for his services as collector."—Sect. 52, act of April 15, 1834, relating to county and township rates and levies.

SCHOOL HOUSES.

The first step in the establishment of the Common School system, is, to provide a sufficient number of commodious and judiciously located school houses. It is the duty of the directors to accomplish this. But, inasmuch as the expense of building, purchasing or hiring a sufficient number of the proper kind, will, in most cases, be great,

it is recommended to the directors to submit the question of an additional tax for that purpose, to the citizens of their district, at as early a date as possible. If such tax be authorized, this desirable object will be accomplished without dissatisfaction, and will, in the end, be found the truest economy. If not, the directors will have done their duty, and cannot afterwards be liable to blame for any inconvenience or insufficiency of school houses.

It is recommended that all new school houses shall be built according to a uniform plan. A communication on this subject, containing the plan and description of a Common School house, prepared by persons competent to the task, will be transmitted to the districts during the next summer, (1837.)

TEACHERS.

By far the most important part of the duty of directors, is that of procuring competent teachers.

The general powers conferred on directors, "to establish a sufficient number of Common Schools for the education of every individual above the age of four years, in the district, who may apply," &c. (Sect. 8, art. 1,) "to exercise a general supervision over the schools," and "to fix the salaries of teachers," (article 3d, of the same section,) necessarily confer the following powers:

I. To establish a certain standard of qualifications to be possessed by teachers, in the different branches to be taught.

II. To examine, as a board; or by committee, all persons desirous of being employed as teachers, and to grant to such persons certificates, setting forth the branches they may be found qualified to teach.

III. To employ a sufficient number of teachers, found qualified, as above, to teach in the schools of the district, at a certain compensation, either by the week, month, or quarter, or at a certain sum per pupil taught.

IV. To dismiss teachers for improper conduct, such as neglect, ignorance, cruelty, immorality, &c.

FEMALE TEACHERS.

It has been found beneficial in other States, in which the Common School system is in operation, to keep open, during the summer, schools for small children, taught by females. Such pupils are found to make greater progress under female than male teachers; and can with more comfort, especially in the country, attend school in summer than in winter. In winter, also, the schools kept by males will generally be so crowded by larger pupils, who do not generally attend during the summer, that very young children will most probably be neglected. This practice will cause a saving to the districts, inasmuch as the services of female can be obtained for less than those of male teachers.

CONTRACTS WITH TEACHERS.

Contracts with teachers should in all cases be in writing, and should be made between the teacher and the president of the proper board of directors, and his successor in office. Every such contract should reserve to the board of directors, power to dismiss the teacher at the end of a month, or quarter, as the case may be, for improper conduct; and should expressly state that the actual possession of the school house in which he is to teach, shall remain in the board of directors.

For form of contract, see Appendix.

ADDITIONAL COMPENSATION TO TEACHERS.

The practice of permitting Common School teachers to receive a remuneration from parents of pupils, in addition to that paid out of the Common School fund, should, under no circumstances, be countenanced. Wherever such practice prevails, the Common School *money* may continue to be expended, but the Common School *system* will soon cease to exist. No matter how just or how impartial the teacher may really be, he will lose the confidence of such as do not pay the additional sum; and if there be no confidence in the teacher, the system will not long retain public respect.

DISTRICT REGULATIONS.

The directors of each district have power to make regulations for the establishment and government of schools within their jurisdiction, and from time to time to alter and amend them. The proper execution of this power will save much trouble, and promote the uniformity and usefulness of their schools. If there be a newspaper in or near the district, the publication of the regulations therein will be the most effectual means of making them generally known. If not, copies should be posted up in each school house, and other public places of the district.

ADMISSION OF PUPILS.

Directors may designate into which school of the district, pupils shall be admitted. They may also appoint certain days, upon which, alone, persons applying shall enter the schools. Days of entry should not occur more frequently than once in each month, or quarter. Unless this regulation be made, and strictly adhered to, it will be impossible to form the classes, and conduct the business of the schools in an orderly manner.

DISMISSAL OF PUPILS.

Directors have power to dismiss pupils from Common Schools, for improper conduct.

They may also confer this power upon teachers; but in this case the dismissal should not become absolute until the matter has been

submitted to and confirmed by the board of directors, or a committee of them. Neither should expulsion, except in very extreme cases, or for repeated offences, be permanent.

NUMBER OF PUPILS IN SCHOOL.

The proper directors have the power, as a necessary consequence from their general powers, to fix the number of pupils that shall be taught at one time in each school. This power, which is also impliedly given by article 10th, section 8, should be exerted in all cases, because the evil intended to be remedied by it, will inevitably produce ruin to the school in which it is allowed to prevail. The average number taught by one person in other States, is about fifty.

BRANCHES OF STUDY.

Though the school law authorizes the teaching of every branch of learning, in Common Schools, which directors may deem expedient, yet it is most earnestly recommended, until the funds of the system justify the establishment of *secondary* schools for the higher branches, to confine them to such as are of general use and necessity. A common business education is comprised in the knowledge of reading, grammar, geography, history, composition, writing, arithmetic, and book-keeping. For the present, no deviation from this course should take place.

REGULAR ATTENDANCE OF PUPILS.

Nothing so much deranges the business of a school, and retards the scholars' progress, as irregular attendance at school. Every exertion should be made to prevent this evil. If, after having designated the school into which each pupil shall be admitted, and the whole number to be taught in each school, the directors adopt a regulation, that every pupil absenting himself from his proper school a certain number of times, without sufficient cause, of which the teacher shall be judge, shall lose his right of attending such school until the commencement of another quarter, (his place in the mean time to be filled by another, if any apply,) it is presumed that the injurious effect of this evil will be obviated. Either a more regular attendance will be the result, or the presence of pupils whose irregular attendance only retards others without benefitting themselves, will be prevented.

AGE OF PUPILS.

All persons over the age of four years, who apply according to law, are to be admitted into Common Schools, at such times and into such schools as the proper directors may designate. Persons over twenty-one years are admissible.

GERMAN SCHOOLS.

In neighborhoods in which the citizens shall require it, German schools may be established and supported under the Common School system, in the same manner as English schools are established and supported; or teachers may be employed, capable of giving instruction in both languages.

ENDOWED SCHOOLS.

An endowed school is one possessing a permanent provision towards the support of the school, either in money, lands, lots or houses. So that the provision be *permanent*, it matters not how small the amount or value is. On the other hand, no mere *temporary* provision, however large—such as subscriptions for the support of the school for half a year, or a year—will give it the character of an endowed school.

Directors are not compelled to appropriate any of the Common School funds of the district to the support of endowed schools therein, unless they shall be satisfied that such schools will be conducted by the trustees, in general conformity with the Common School system of the Commonwealth.

In case of appropriation to an endowed school, directors shall have power to visit and examine such school, in the same manner as other Common Schools.—Section 17.

ADJOINING DISTRICT SCHOOLS.

A school or schools may be formed out of two or more adjoining districts, though such districts be situated in *different* counties; but all such adjoining districts must be *accepting* districts.

Children from non-accepting districts cannot be received into the Common Schools of accepting districts.

No two or more adjoining districts can be wholly united into one, by agreement of their respective directors.—See sect. 8, art. 6.

The expenses of those schools may either be paid by the districts which compose them, in proportion to the number of scholars sent from each, or of taxables accommodated.

SCHOOLS FOR COLORED CHILDREN.

Directors have power to establish separate schools for colored children. In cases in which the amount of colored population warrants it, the establishment of such schools should be effected.

VISITATION OF SCHOOLS.

It is the duty of each board of directors, by one or more of their number, to visit every school within their district, at least once in every month.—Sec. 8, art. 5.

This duty should be faithfully performed; but, at the same time, care should be taken not unduly to interfere with the discipline of

the school, as established by its teacher, if he be a competent one. Every man should know his own business best;—and if to him whose admitted competence for a trust, first placed him in its discharge, be denied the just right of executing it in the manner best suited to his own views of propriety and responsibility, from him will soon be withdrawn that wish to excel, and that spirit to achieve, which are indispensable to success.

By these remarks, it is not intended to produce the entire independence and irresponsibility of the teacher; but his exemption from captious or hasty interference is extremely desirable. While directors, at their periodical visits, see the business of the school conducted according to some known system, and in an orderly manner, they should, for the present, be satisfied, and should give to the teacher, and his plan of teaching, a fair trial. If, at the end of a sufficient time, it should not produce the desired results, then, but not before, both the teacher and his plan should be changed.

SCHOOL YEAR.

Though the school year, by the twenty-first section of this act, terminates on the first Monday in June annually, the operations of the succeeding year are really commenced before that time. Directors are elected in March. Meetings of the people to compel negative directors to accept the system, are held also in March. Tax is voted, assessed, and may be partly collected in May; and yet this is all to be taken as part of the school operations of the year which succeeds the first Monday in June following. No part of the State appropriation can, however, be paid to districts, till after that time; nor should State appropriation, or district tax, be applied to the expenditure of any but the proper year, commencing after that day.

DISTRIBUTION OF SCHOOL MONEY.

School money, whether derived from tax or State appropriation, is to be distributed amongst the different schools in a district, in such manner as to the directors shall seem best calculated to promote justice, and the good of the system. If possible, the schools should be so located, as that each shall accommodate an equal number of pupils, in which case an equal sum should be given to each. If this cannot be effected, either the number of taxables in the bounds of each school, or the number of children taught, may be assumed as the ratio of distribution, as shall best suit the circumstances of the case.

MANNER OF PAYING SCHOOL EXPENSES.

All school expenses are to be paid by orders drawn on the district treasurer, signed by the president, and countersigned by the secretary of the board.—Art. 4, sect. 8.

A form of the order will be found in the appendix.

SETTLEMENT OF TREASURER'S ACCOUNTS.

The treasurer's accounts shall be audited and adjusted in the same manner as township and borough accounts are, by law, audited and adjusted, viz :

"Section 102. The auditors of each township, any two of whom duly convened, shall be a quorum, shall meet annually on the second Monday of April; and oftener, if necessary, and shall audit, settle and adjust the accounts of the supervisors and treasurer of the township, and of such other township officers as may by law be referred to them.

"Section 103. The report of such township auditors shall be filed with the town clerk, if there be one; and if there be no town clerk, it shall remain with the senior auditor, for the inspection of all persons concerned.

"Section 104. It shall be lawful for the township, or the officer accounting, to appeal from such settlement to the court of Common Pleas of the same county, within thirty days after such settlement; whereupon, the court may direct an issue to determine disputed facts, if necessary: *Provided*, That no appeal by such officer shall be received, unless the appellant shall enter into a recognizance, with two sufficient sureties, conditioned to prosecute the appeal with effect, and to pay all costs accruing thereupon.

"Section 105. The auditors of each township shall have the same power and authority to obtain the attendance, before them, of parties and witnesses, and the production of books and papers, and to administer oaths and affirmations, as are by law given to county auditors.

"Section 106. The auditors of every township shall respectively receive the sum of one dollar for each day necessarily employed in the duties of their office, which shall be paid by the township treasurer, out of the township funds."—See act of the fifteenth April, eighteen hundred and thirty-four, relating to counties and townships and county and township officers.

REPORT TO SUPERINTENDENT.

Blank forms for making district reports, will, annually, before the first of December, be transmitted by the Superintendent to each district in the State. It is earnestly requested that these shall be filled up and returned immediately after the first day of January next ensuing, so as to enable him to make his report to the Legislature, within the month of January.

SETTLEMENT OF CONTROVERSIES.

"If any controversies should arise among the directors of any district, or adjoining districts, concerning the duties of their office, the distribution of the State appropriation, or the levying and collection of taxes, he (the general Superintendent,) is hereby authorized to settle and adjust the same, without cost to the parties."—Art. 4, Sect. 10.

This section gives large powers to the Superintendent, which he feels unwilling to exercise, except in cases of urgent necessity. It will at all times be better that differences be settled by compromise at home, than that the authority of the Superintendent be appealed to. It should be remembered, that in cases appealed to the Superintendent, his decision must be guided by some general and uniform rule, applicable to the whole State, but which may not, in all respects, suit the particular circumstances of each case. Directors and all others should also constantly bear in mind, that the Common School law is intended wholly for the common good. It should, therefore, in all cases, receive a liberal construction in favour of the system.

Occasions, however, will arise, in which an amicable adjustment cannot be effected at home. In such instances, it is earnestly requested that a statement of the controversy be drawn up by the secretary of the proper board of directors, and certified to be correct by all the parties. Without such a document, the Superintendent will be unable to make a decision which shall receive the acquiescence of all.

DUTY OF DIRECTORS IN NON-ACCEPTING DISTRICTS.

This is fully described in the first part of section 13.

If, at an election held under this section, the tickets containing the word "schools," be the greater number, the directors of the district are thereby compelled to proceed to the establishment of the Common School system therein, even though they themselves be opposed to it. In such case, however, schools are not to be actually opened till after the first Monday in June following, though all necessary preliminary steps, such as the levying and assessing of tax, the procuring of teachers and school houses, may be taken before that time.

MANNER OF REJECTING THE SYSTEM.

The time and manner of abrogating the Common School system, in accepting districts, are fully described in the latter part of the 13th section.

Though the words of the law have left it discretionary with the directors, whether they will or will not submit the question of the continuance of the system to the people, it would, on the whole, be better to do it in all cases. If well conducted, the system will not fear such an ordeal, and if so ill managed during three years, as not to give satisfaction to the majority, it should be abolished.

OLD LAWS FOR THE EDUCATION OF THE POOR.

These are to continue in force in the cases and manner pointed out in the 13th and 16th sections.

ADDRESS OF LETTERS.

All letters, &c. relating to the system, should be addressed "to the Superintendent of Common Schools," and should have the words "school system," endorsed upon them, in large letters.

HINTS TO TEACHERS.

Early youth is the proper season for the inculcation of sound morals, and of the duties which man owes to God and to his fellow man. These vitally important objects are most essentially promoted by the custom of using the Bible as a school book, which so generally prevails in this State, and which ought to be cherished. No code of moral law has ever been presented to the mind of man, so pure, so just, or so applicable to all conditions and ages, as that of the New Testament.

The lessons of sound morality thus imbibed from the source of divine truth, may appear at the time to make little impression, but rarely fail to restrain vicious propensities, stimulate virtuous sentiments, purify the character and regulate the conduct of the pupil in subsequent life. Like the voice of a departed parent, heard but neglected in the summer of life, the words of the School Testament will return to the mind when the heart is softened by adversity, and the value of all earthly things is tested by the approach of death.

Do not strive to be the inventor of a new system of education. Thousands of them have been proclaimed to the world, and are forgotten. And the reason is plain. Education is the gradual cultivation and improvement of the mind, by exercising it upon proper subjects, and by storing it with desirable information. This must, of necessity, be the result of time and labor. As well might you expect to qualify, in a day, the son of pampered indolence for the hardy employment of the farmer or mechanic, as to force ignorance into the fulness of knowledge without time and hard study.

But, though comparatively little can be done to abridge the labor of the learner, much may be accomplished to lighten the teacher's task, and to enable him to impart information with equal ease to an increased number.

District and county associations of teachers, and lyceums, are admirable aids to persons engaged in the instruction of youth. By all means, promote their formation, and regularly attend their meetings.

Endeavor, as much as possible, to produce uniformity in the books used in your school. It matters not so much whether the books used be the very best extant, as that they be all of the same kind in the hands of the same class of learners.

Arrange your pupils into classes, according to their progress in learning. A class of six may be heard recite their lessons in half the time that the same number reciting singly would occupy. Members of classes act under a spirit of honorable emulation, which he who repeats his lesson separately rarely feels.

Do not forget that the first object of the Common School system, is to teach *reading, writing and arithmetic*. The higher arts and

sciences are most proper and useful in their place, but the teacher who neglects an A B C scholar, to teach astronomy or geology, should be dismissed from a Common School.

Instead of wasting your own time, and your pupil's paper in setting copies for writing, procure a sufficient number of copperplate copies, cut apart, and fixed upon strong slips of pasteboard. The letters of these will be better formed than any which can ordinarily be made with the pen.

Endeavor to teach a plain round business handwriting; and avoid, as you regard beautiful and useful penmanship, new and short-cut systems of writing.

Let nothing find favor in your sight but merit, and you will soon behold the number of the meritorious increase. Remember that the scholar's merit is the master's credit.

But above all, whatever you do, do it methodically. An inferior system of action adhered to, is better than the best system in the world neglected.

APPENDIX.

FORM OF BOND OF DISTRICT TREASURER.

County, ss.

Know all men by these presents, that we
and _____, are held and firmly bound to
President of the Board of School Directors, of _____ district,
in the county aforesaid, and to his successors in office, for the use
of the district aforesaid, in the sum of _____, (here insert double
the amount of the sum which will probably come into the hands of
the treasurer in one year for school purposes,) lawful money, to
be paid to the said _____ or his successors, to the which
payment, well and truly to be made, we bind ourselves, jointly and
severally, our heirs, executors and administrators, and every of
them by these presents. Sealed with our seals, dated the
day of _____ in the year of our Lord 18

Whereas, the said _____ has been duly appointed treasurer of the said school district, for and during the term of one year from the date hereof; Now the condition of this obligation is such, that if the said _____, shall, and do well and truly execute and perform the duties of said office, according to law, and shall, at the end of the term aforesaid, faithfully account for the school money he shall have received during the term aforesaid, and shall pay over into the hands of his successor in office, such balance as may then remain in his possession, this obligation to be void, or else to remain in full force and virtue.

Sealed and delivered }
in presence of us. }

[L. S.]
[L. S.]
[L. S.]

FORM OF BOND OF DISTRICT COLLECTOR.

Know all men by these presents, that we _____ and _____ are held and firmly bound to _____, President of the Board of School Directors of _____ district, in the county aforesaid, and to his successors in office, for the use of the district aforesaid, in the sum of _____, (here insert double the amount of the duplicate,) lawful money, to be paid to the said _____ or his successors; to the which payment, well and truly to be made, we bind ourselves, jointly and severally, our heirs, executors and administrators, and every of them, by these presents. Sealed with our seals, dated the _____ day of _____ in the year of our lord, 18 _____

Whereas, the said _____ has been duly appointed collector for the school year which will terminate on the first Monday of June, 18 _____, of the school tax, of _____ district aforesaid: Now the condition of this obligation is such, that if the said _____ shall and do well and truly execute and perform the duties of said office, according to law, and shall faithfully account for, and pay into the hands of the proper treasurer of said district, the money which shall come into his hands as collector aforesaid, and shall settle up his duplicate on or before the _____ day of _____ next, according to law, then this obligation to be void, or else to be and remain in full force and virtue.

Sealed and delivered in }
the presence of us. }

[L. S.]
[L. S.]
[L. S.]

FORM OF WARRANT TO COLLECTOR OF SCHOOL TAX.

County, _____
 District, ss. _____

To _____ of _____ in said county.

These are to authorize and require you, to demand and receive of and from every person in the annexed duplicate named, the sum wherewith such persons stand charged, and you are to collect and pay over all such monies as you may have received to treasurer of the said school district, and his successor in office, on or before the _____ day of _____ next; at which time abatement or allowance for mistakes or indigent persons, will be made, and within _____ months from the date hereof, you shall pay into the hands of the said treasurer, the whole amount of the taxes charged and assessed in the annexed duplicate, without further delay, except such sum as the directors may in their discretion exonerate you from.

And if any person shall neglect or refuse to make payment within thirty days from the time of such demand, it shall and may be lawful to and for you, and you are hereby commanded, to levy the said tax by distress and sale of the goods and chattles of such delinquent, giving ten days public notice of such sale, by written or printed advertisements, and rendering the overplus (if any there be, after such sale,) to the owner: And in case goods and chattles cannot be found sufficient to satisfy the said tax, with costs, then you are to take the body of every such delinquent, and convey him to the jail of _____ county, (except females and minors, and persons found by inquisition to be of unsound minds, and persons too sick to be taken with safety,) and deliver him to the Sheriff, or keeper thereof, who is hereby required to receive and keep him in safe custody, until the said tax, with costs, be paid, or he be otherwise discharged by due course of law. Hereof fail not.

Given under my hand and seal at _____ the _____ day of _____
 A. D. _____

President of the Board of Directors of _____ [L. S.]
 District.

FORM OF CERTIFICATE OF ASSESSMENT OF SCHOOL TAX.

[Here insert the amount of tax
 assessed, in figures.]

[Date.]

To the Superintendent of Common Schools.

SIR:—I do hereby certify, that a school tax, amount-
 ing to _____ dollars, _____ has been regularly levied and assess-
 ed for the school year _____ upon _____ District
 county; that a warrant for the collection thereof has been delivered

to the district collector, according to law ; and that the aforesaid sum, is, at least, equal to the amount of this district's share of annual State appropriation.

I do further testify that (of Post Office, county of) is lawfully appointed treasurer of this school district.

PRESIDENT.

Secretary.

FORM OF CERTIFICATE OF NON-PAYMENT OF TAX ON UNSEATED LAND.

To the Commissioners of the County of

GENTLEMEN—I do hereby certify, that the following school tax on unseated land within the district of , was regularly assessed and set forth in the duplicate of school tax for the year , delivered to me for collection by the president of the board of directors thereof, and that the same has not been voluntarily paid to me : you are therefore required to cause the same to be collected and paid over agreeably to the 7th section of the act entitled “ An act to consolidate and amend the several acts relative to a general system of education by Common Schools,” passed the 13th day of June, 1836.

	Dols.	Cts.
Viz: upon land of A. B.	-	-
upon land of C. D.	-	-

*Collector of School Tax for
the District of*

[Date.]

FORM OF ORDER ON DISTRICT TREASURER.

\$—,

[Date.]

To the Treasurer of }
District county, }

SIR—

Pay to or order, dollars ,
being (one quarter's salary due him as teacher, up to , or on account of salary, or for fuel furnished to school house, or for rent, of school house, &c., as the case may be,) for which this will be your sufficient voucher, on settlement of your accounts.

By order of the Board.

Witness,

PRESIDENT.

Secretary.

FORM OF DEED OF LAND TO SCHOOL DIRECTORS.

Know all men by these presents, that we _____, of _____, for and in consideration of _____ dollars, to us paid at the en sealing hereof, by _____, Directors of Common Schools, of _____ township, district in the county of _____, the receipt of which is hereby acknowledged, do grant, bargain, sell, assure and convey to the said Directors aforesaid, their successors and assigns, a piece of ground, situate in said township of _____, described as follows, viz:

Beginning _____, containing _____; being part of the premises conveyed by _____ to the grantors, by deed dated, [Here insert the necessary recitals.] together with all its rights, members, and appurtenances; to have and to hold the said piece of ground, and appurtenances, to the said _____, Directors aforesaid, their successors and assigns forever, for the establishment and support of Common Schools in said district, according to law. And _____, the said _____, do covenant with the said Directors, their successors and assigns, that (he, she or they, is or are, as the case may be,) lawfully seized, in fee of the afore granted premises; that they are free of all incumbrances; that (he or they has or have) a good right to sell and convey the same to the said Directors, and will warrant and defend the same premises to the said Directors, their successors and assigns, forever, against the lawful claims and demands of all persons, [This constitutes a *general warranty*. If a *special* warranty be desired, let the following words be added:] claiming, by, from or under (him, her or them, or any of them, as the case may be.)

In witness, &c.

[L. S.]

Sealed and delivered in }
our presence, . }

[L. S.]

[L. S.]

Receipt for the purchase money, and acknowledgement before a Justice, to be in the usual form.

FORM OF LEASE OF SCHOOL HOUSE AND LOT TO SCHOOL DIRECTORS.

Know all men by these presents, that I, _____, of _____, for the rent herein mentioned, do hereby agree to let and rent to _____, Directors of Common Schools, for _____ township, district in _____ county, and their successors, [Here insert the words "and assigns," if it is agreed to confer upon directors, power to assign the lease.] a house or building in said township, with about _____ of ground, adjoining lands of _____

, for the establishment and support of Common Schools in said district, according to law, for the term of , from the day of , at the annual rent of ; to be paid in payments. The premises to be surrendered at the expiration of said term, in good order—casualties excepted.

In witness, &c.

[L. S.]

Sealed and delivered in }
presence of us, }

FORM OF AGREEMENT BETWEEN SCHOOL DIRECTORS AND TEACHER.

It is agreed by and between , Teacher, and President of the Board of Directors of Common Schools, of district, in county, that said shall, under the supervision and exclusive direction of the Board of Directors of said district, and their successors, teach in the school house, or building, at or near , for the term of , at and for the compensation of , to be paid ; reserving the right for the Board of Directors, for the time being, to dismiss said , at the end of any month [or quarter] of said term. The actual possession of the said school house and building and premises, before mentioned, to remain and be considered by all parties as remaining and being at all times in the said Board of Directors, and their successors.

In witness whereof, we have hereunto set our hands and seals, on the day of A. D.

Witness,

[L. S.]
[L. S.]

LIBRARY OF CONGRESS



0 021 490 343 A

Holli

F

LIBRARY OF CONGRESS



0 021 490 343 A

Hollinger Corp.

pH 8.5